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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NML CAPITAL, LTD.,

Plaintiff,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

CASE NO.: 2:14-cv-00492-RFB-VCF

CASE NO.: 2:14-cv-01573-RFB-VCF

**STIPULATION AND ORDER TO
CONSOLIDATE RELATED MATTERS**

Plaintiff NML Capital, Ltd. ("NML"), by and through its attorneys of record, Kirk B. Lenhard, Esq., and Nikki L. Baker, Esq., of Brownstein Hyatt Farber Schreck, LLP, and Dennis H. Hranitzky, Esq., of Dechert LLP, non-parties MF Corporate Services (Nevada) Limited ("MF Nevada") and Patricia Amunategui, by and through their attorney of record, Kent P. Woods, Esq., of Woods Erickson & Whitaker LLP, non-parties The 123 Entities and Val de Loire, LLC ("VDL"), by and through their attorney of record, Jason M. Wiley, Esq., of Kolesar & Leatham, and intervener Jorge Lanata, by and through his attorney of record, Marc J. Randazza, Esq., of

1 Randazza Legal Group (NML, MF Nevada, Ms. Amunategui, The 123 Entities, VDL and Mr.
 2 Lanata are collectively referred to as the "Parties"¹) hereby agree and stipulate, subject to the
 3 Court's approval, as follows:

4 1. On April 1, 2014, NML filed a "Motion to Compel Production of Documents",
 5 thereby initiating the action styled *NML Capital, Ltd. v. Republic of Argentina* (Case No. 2:14-
 6 cv-00492-RFB-VCF) ("Argentina I"). (*See* Argentina I, Dkt. #1.) Argentina I was assigned to
 7 District Judge Richard F. Boulware, II, and referred to Magistrate Judge Cam Ferenbach. (*See*
 8 Argentina I Docket.);

9 2. On September 24, 2014, VDL filed a "Motion to Quash, Or, In the Alternative, For
 10 Protective Order", thereby initiating the action styled *NML Capital, Ltd. v. Republic of Argentina*
 11 (Case No. 2:14-cv-01573-RFB-VCF) ("Argentina II"). (*See* Argentina II, Dkt. #1.) Argentina II
 12 was originally assigned to District Judge Lloyd D. George, and referred to Magistrate Judge
 13 Peggy A. Leen. (*See* Argentina II Docket.);

14 3. Thereafter, on October 2, 2014, NML filed a notice of related cases pursuant to
 15 Local Rule 7-2.1 in both actions ("Notice of Related Cases"). (*See* Argentina I, Dkt. #50; *see also*
 16 Argentina II, Dkt. #6.);

17 4. The Notice of Related Cases explained to the Court that "[b]oth actions arise out of
 18 NML's efforts to collect judgments against Argentina totaling more than \$1.7 billion," and that
 19 since "both actions 'involve the same parties and are based on the same or similar claim,' and
 20 'involve[] the same property, transaction or event,' the Court should consider the two actions
 21 related and assign them to a single Magistrate Judge and a single District Judge." (*Id.*);

22 5. On October 3, 2014, The 123 Entities and VDL filed a Notice of Non-Opposition
 23 to NML Capital Ltd.'s Notice of Related Cases in Argentina I and Argentina II, asserting that they
 24 "agree with NML's position" and "are amenable to having both pending litigations assigned to
 25 Magistrate Judge Ferenbach and District Judge Boulware." (*See* Argentina I, Dkt. #51; *see also*
 26

27 ¹ MF Nevada, Ms. Amunategui, The 123 Entities, VDL and Mr. Lanata are not parties to this litigation. Use
 28 of the "Parties" designation herein is only intended for ease of reference and shall not be construed as an admission or
 finding by this Court that MF Nevada, Ms. Amunategui, The 123 Entities, VDL, and/or Mr. Lanata are in fact
 "parties" as such term is used under Rule 45 of the Federal Rules of Civil Procedure.

1 Argentina II, Dkt. #7.);

2 6. On November 4, 2014, Judge Boulware issued an order in both actions, ordering
3 that Argentina II "shall be ASSIGNED to Judge Richard F. Boulware, II and matters therein
4 REFERRED, as appropriate, to Magistrate Judge Cam Ferenbach." (*See* Argentina I, Dkt. #58;
5 *see also* Argentina II, Dkt. #24.);

6 7. On December 12, 2014, Magistrate Judge Ferenbach conducted a hearing on
7 several pending motions in both actions. (*See* Argentina I, Dkt. #73; *see also* Argentina II, Dkt.
8 #33.) During the hearing, Magistrate Judge Ferenbach canvassed the parties regarding whether
9 any party opposed consolidation of the Argentina II action with the Argentina I action. (*Id.*) As
10 none of the parties objected to consolidation, Magistrate Judge Ferenbach instructed the parties to
11 draft and circulate a Stipulation and Order to consolidate Argentina II into Argentina I for the
12 Court's consideration by December 19, 2014. (*Id.*; *see also* Argentina I, Dkt. #74; Argentina II,
13 Dkt. #34.); and

14 8. In light of the foregoing, the Parties respectfully request that the Court consolidate
15 Argentina II (Case No. 2:14-cv-01573-RFB-VCF) into Argentina I (Case No. 2:14-cv-00492-

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RFB-VCF), and order all future filings to be filed in Argentina I and bear the main caption from the first filed action: *NML Capital, Ltd. v. Republic of Argentina* (Case No. 2:14-cv-00492-RFB-VCF).

DATED this 16th day of December, 2014.

KOLESAR & LEATHAM

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By: /s/ Kirk B. Lenhard, Esq.

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(Nevada) Limited and Patricia Amunategui*

Attorneys for Mr. Lanata

IT IS SO ORDERED.

DATED this ____ of December, 2014.

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

1 Respectfully submitted by:

2 BROWNSTEIN HYATT FARBER SCHRECK, LLP

3 /s/ Kirk B. Lenhard, Esq.

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CERTIFICATE OF SERVICE

Pursuant to Fed.R.Civ.P.5(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and that the foregoing **STIPULATION AND ORDER TO CONSOLIDATE RELATED MATTERS** was served via U.S. Mail, postage prepaid, on the date and to the address shown below:

Carmine D. Boccuzzi, Jr., Esq.
CLEARLY, GOTTLEIB, STEEN & HAMILTON, LLP
One Liberty Plaza
New York, NY 10006
Counsel for Defendant The Republic of Argentina

DATED this 16th day of December, 2014.

/s/ Karen Mandall
an employee of Brownstein Hyatt Farber Schreck, LLP

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